

From: [Martin Sullivan](#)
To: mpsullivan65@hushmail.com
Subject: FW: 113 18th St SE
Date: Monday, March 13, 2023 9:55:27 AM

From: Bolden, Tarek (DOB)
Sent: Friday, January 20, 2023 10:03 AM
To: Paul Ijiti <fescuminc@yahoo.com>; Divine Foh <devine@fescuminc.com>
Cc: info@fescuminc.com; R. Michael Cross <mcross@rmichaelcross.com>; Emily Bacher <ebacher@rmichaelcross.com>; 1501 Erie st construction fescuminc <projectmanager@fescuminc.com>
Subject: RE: 113 18th St SE

Good morning all,

My apologies this was supposed to have been sent yesterday afternoon:

Before we get started perhaps the following information will assist with this meeting.

On October 27th 2022 the following e-mail was sent

Good afternoon Ms. Bacher and Mr. Cross,

There may be a bit of confusion here.

The issue with the property at 113 18th Street Se is that the 3rd story addition was not set back in accordance with 11 DCMR Subtitle E, sec. 206 which requires the 'three-foot rule', that the addition of a floor or penthouse-- usually behind the element-- must be set back at least three feet from the rooftop architectural element to preserve its architectural integrity.

When presented with this concern your office stated that the rule didn't apply because the building was razed and present a Raze permit (R2000030) to OZA. On 9-22-22, the ZA Matt LeGrant asked you for pictures that the building was actually razed and not just a copy of the permit. This request for additional proof of a razed building has been not been addressed with any evidence.

Your office has stated "I do not believe that the project at 113 18th ST SE has an Architectural Rooftop Element due to the fact that that the building we legally Razed under R2000030 "Yet there is no proof that this action was taken.

The only way to release any holds on this property and prevent the application of a Stop Work Order at this point is:

A) The recently built 3rd story addition must be set back 3 feet from the rooftop architectural element with revised building plans

B) The property must obtain zoning relief from the BZA

C) Provide proof that the building was actually fully raised in accordance with issued permit R2000030.

The only reason the property at 113th 18th Street would be allowed to remove the architectural element if the building were totally razed (in accordance with the Raze permit) FIRST, then a new building is built on the site. This did not happen. The assertion that the property was razed during the construction as shown in the pictures attached which show a addition on top of an existing building (being painted white in one pic showing the building was never razed fully before new construction) does not qualify.

I hope this helps clarify.

Board of Zoning Adjustment
District of Columbia
CASE NO.20921
EXHIBIT NO.2D

